

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

ANDRE LEROY GARRETT	§	
	§	CIVIL ACTION NO. 6:06cv130
AMANDA ADAMS, ET AL.	§	

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE  
ON PLAINTIFF'S MOTIONS FOR INJUNCTIVE RELIEF

The Plaintiff Andre Garrett, proceeding *pro se*, filed this civil rights lawsuit under 42 U.S.C. §1983 complaining of alleged violations of his constitutional rights. This Court ordered that the case be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

Garrett has filed several motions for injunctive relief, asking that prison officials be enjoined from enforcing the grooming code against him for religious reasons. The Magistrate Judge has issued a Report recommending that requested injunctive relief be denied, to which Garrett has filed objections.

The Fifth Circuit has upheld the validity of prison grooming codes as against religious-based challenges. Diaz v. Collins, 114 F.3d 69, 73 (5th Cir. 1997); Thompson v. Scott, 86 Fed.Appx. 17 (5th Cir., January 9, 2004) (not selected for publication in the Federal Reporter) (rejecting challenge to grooming code based on the Religious Land Use and Institutionalized Persons Act). Garrett has not shown that he is entitled to the relief he seeks. The Magistrate Judge's Report is correct, and Garrett's objections are without merit.

The Court has conducted a careful *de novo* review of the pleadings in this cause, the Report of the Magistrate Judge, the Plaintiff's objections thereto, and all relevant documents and filings in

the record. Upon such *de novo* review, the Court has concluded that the Report of the Magistrate Judge is correct and that the Plaintiff's objections are without merit. It is accordingly

ORDERED that the Plaintiff's objections are overruled and the Report of the Magistrate Judge is ADOPTED as the opinion of the District Court. It is further

ORDERED that the Plaintiff's motions for injunctive relief (docket no.'s 10, 27, and 31) is hereby DENIED. Finally, it is

ORDERED that the Plaintiff's motion for a ruling on his motions for injunctive relief (docket no. 47) is DENIED as moot.

**SIGNED this 16th day of February, 2007.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE